## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF MISSISSIPPI WESTERN DIVISION

DENITA BROCK, )	
Plaintiff,	
vs.	Case No. 3:09cv48-DAS
MICHAEL J. ASTRUE, COMMISSIONER OF SOCIAL SECURITY,	
Defendant.	

## **ORDER AWARDING ATTORNEY'S FEES**

Before the court is the claimant's motion (# 21 ) for payment of attorney's fees pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412. In these proceedings, the claimant sought judicial review of the final decision of the Commissioner of Social Security, denying a claim for Social Security Disability Insurance Benefits. By Order (# 19) dated November 10, 2009, the court remanded this case to the Commissioner for further proceedings. The claimant now seeks attorney fees under the EAJA on the ground that the Commissioner's position was not "substantially justified." By the motion and attached exhibits, the claimant requests an award in the total amount of \$4,941.50 for attorney's fees. However, the parties have agreed to settle the matter of attorney's fees for \$4,581.60.

The court, having considered the foregoing and the record of this case, finds the agreed to amount of attorney's fees is reasonable and appropriate. Therefore, it is

**ORDERED** that the claimant's motion for payment of attorney's fees under the EAJA is hereby **GRANTED**, and the Commissioner shall pay the claimant's attorney \$4,581.60 in attorney's fees.

THIS, the 22<sup>nd</sup> day of December, 2009.

/s/ David A. Sanders
U. S. MAGISTRATE JUDGE